IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.PADMANABHAN NAIR

WEDNESDAY, THE 11TH JULY 2007 / 20TH ASHADHA 1929

MACA.No. 855 of 2007()

OPMV.668/2004 of MOTOR ACCIDENT CLAIMS TRIBUNAL, THODUPUZHA

.....

APPELLANT/PETITIONER

K.V.PRADEEP,AGED 28,S/O.VISWAMBARAN,
ELAVUMKAL HOUSE,POTTENKADU KARA,
DISONVALLEY VILLAGE.

BY ADV. SRI.C.K.VIDYASAGAR
SRI.P.CHANDY JOSEPH

RESPONDENTS: RESPONDENTS;

---

1. SIBICHAN SCARIA,PUTHAYATH HOUSE,
RAJAKUMARI.P.O.,IDUKKI DISTRICT.

2. UNITED INDIA INSURANCE CO.LTD.,
KANATTU SHOPPING COMPLEX,
KALLARKUTTY ROAD,ADIMALY.

THIS MOTOR ACCIDENT CLAIMS APPEAL HAVING COME UP FOR ADMISSION ON 11/07/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

K.PADMANABHAN NAIR, J.

M.A.C.A.No. 855 OF 2007

Dated this the 11th July, 2007.

J U D G M E N T

The petitioner in O.P.(M.V.) No.668/2004, on the file of the Motor Accidents Claims Tribunal, Thodupuzha, is the appellant herein. The appellant met with a motor vehicle accident on 26.8.2004, and sustained injuries. He filed Original Petition claiming compensation. The Tribunal awarded an amount of Rs.78,377/= as compensation. The Tribunal has awarded an amount of Rs.15,000/= for pain and sufferings, Rs.30,097/= for treatment expenses, and Rs.17,280/= for disability. It has also accepted the disability certificate with slight modification. The Doctor assessed the disability to 10%. But the Tribunal has re-fixed the disability at 4%. In the facts and circumstances of the case, it cannot be said to be perverse or illegal. The quantum of compensation awarded is reasonable. So, I do not find any reason to interfere with the award. The appeal is only to be dismissed.

In the result, the appeal is dismissed.

K.PADMANABHAN NAIR,
JUDGE

nj.